



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,981	09/22/2003	Johan Loccufier	27500-GN02117	1973

7590 09/22/2006

Joseph T. Guy Ph.D.
Nexsen Pruet Jacobs & Pollard LLP
201 W. McBee Avenue
Greenville, SC 29603

EXAMINER

SCHWARTZ, PAMELA R

ART UNIT	PAPER NUMBER
----------	--------------

1774

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,981

Applicant(s)

LOCCUFIER ET AL.

Examiner

Pamela R. Schwartz

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on July 3, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 28-33 is/are pending in the application.
- 4a) Of the above claim(s) 12-25 and 29-33 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28 is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 1774

1. Claim 28 is allowed.
2. New claims 29-33 are withdrawn from further consideration as drawn to non-elected species. See the election requirement of April 15, 2005.
3. Rejection under 35 U.S.C. 112, second paragraph has been overcome.
4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satou et al (6,808,768) in view of Avar (4,730,018). The primary reference discloses porous inorganic particles that can be silica, alumina, or other metal compounds and at least one ink absorbing layer containing the disclosed particles (col. 4, lines 28-43 and col. 7, lines 14 to col. 8, line 18). The binder of the layer(s) may be polyvinyl alcohol, polyamide, polyester, styrene butadiene, or others, including combinations of the disclosed binders. The layer may also contain a hindered amine light stabilizer. The secondary reference discloses particular light stabilizers, including some within the scope of applicants' claims, that stabilizer polymeric materials including polyester, polyamide and styrene/butadiene (see col. 1, lines 5-7, formula II at the bottom of col. 2, when R₉ is di-substituted by OH, col. 2, lines 50-68 and col. 8, line 34-56). It would have been obvious to one of ordinary skill in the art to include a known light stabilizer disclosed by the secondary reference for its concomitant function in the art, i.e. as a light stabilizer, in the recording medium of the primary reference. It is noted that the secondary reference discloses stabilization of polymers, including polyamides, polyesters and styrene butadiene, all of which may be included with polyvinyl alcohol as the binder of the primary reference. Therefore, the secondary reference suggests

Art Unit: 1774

success when using the disclosed stabilizers to stabilize a layer including one or more of these polymers.

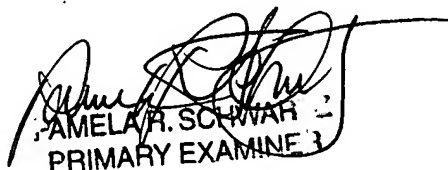
5. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pamela Schwartz whose telephone number is (571) 272-1528.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye, can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PRSchwartz
September 14, 2006


PAMELA R. SCHWARTZ
PRIMARY EXAMINE 3